

AMENDED IN SENATE APRIL 4, 2005

**SENATE BILL**

**No. 1067**

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**Introduced by Senator Kehoe**

February 22, 2005

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An act to repeal Section 116361 of, *and to add Article 5.5 (commencing with Section 116490) to Chapter 4 of Part 12 of Division 104 of*, the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Kehoe. Drinking water: ~~arsenic~~.

Existing law, the Calderon-Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to adopt regulations covering water testing, the monitoring of contaminants, the frequency and method of sampling and testing, the reporting of results, and other matters as may be necessary to determine and assure the quality of domestic water supplies. Existing law requires the Office of Environmental Health Hazard Assessment to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal for contaminants in drinking water based exclusively on public health.

Existing law requires the office to adopt a public health goal for arsenic within a prescribed timeframe. Existing law also requires the department to commence the process of revising the primary drinking water for arsenic and adopt a revised standard not later than June 30, 2004.

This bill would repeal these requirements for the office and department relating to arsenic. *The bill would also require the department, on or before January 1, 2007, to adopt regulations to ensure that any public water system that has levels of trihalomethanes that exceed the state public health goal for that contaminant notifies*

*its customers of the public health risks, including any risks to pregnant women, from the contaminant.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 116361 of the Health and Safety Code  
2 is repealed.

3 SEC. 2. Article 5.5 (commencing with Section 116490) is  
4 added to Chapter 4 of Part 12 of Division 104 of the Health and  
5 Safety Code, to read:

6  
7 Article 5.5. Trihalomethane Risk Reduction and Public  
8 Disclosure  
9

10 116490. The Legislature finds and declares all of the  
11 following:

12 (a) Scientific studies have linked trihalomethane (TTHM) to  
13 increased risk of cancer.

14 (b) Several investigations have found that chlorination  
15 by-products may be linked to heart, lung, kidney, liver, and  
16 central nervous system damage. Other studies have linked TTHM  
17 to reproductive problems, including miscarriage.

18 (c) A California study found a miscarriage rate of 15.7  
19 percent for women who drank five or more glasses of cold water  
20 containing more than 75 ppb TTHM, compared to a miscarriage  
21 rate of 9.5 percent for women with a low TTHM exposure.

22 116491. On or before January 1, 2007, the department shall  
23 adopt regulations to ensure that any public water system that has  
24 levels of trihalomethanes that exceed the state public health goal  
25 for that contaminant notifies its customers of the public health  
26 risks, including any risks to pregnant women, from the  
27 contaminant. The notification required under this section may be  
28 included in the annual consumer confidence report issued by the  
29 public water system.